

District Judge James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEA SHEPHERD LEGAL,

Plaintiff,

v.

NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION, *et*
al.,

Defendants.

Case No. C19-463 JLR

JOINT STATUS REPORT AND
~~PROPOSED~~ ORDER

Noted for Consideration:
April 7, 2021

Plaintiff SEA SHEPHERD LEGAL (“SSL”) filed the above-captioned lawsuit under the Freedom of Information Act (“FOIA”) against Defendants NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION and NATIONAL MARINE FISHERIES SERVICES, seeking disclosure of certain documents (“First FOIA Lawsuit”). At the parties’ request, the Court consolidated the First FOIA Lawsuit with a related case, *Sea Shepherd Legal v. NOAA, et al.*, 19-cv-1485-JLR. Dkt. No. 34. The Court ordered that all remaining filings be made in the First FOIA Lawsuit. *Id.*

In its Order dated March 24, 2021, the Court instructed the parties to file, within 14 days, a joint status report (“JSR”) describing their progress on carrying out the directives set forth in the Court’s Order dated February 2, 2021 (the “February 2

Order”).¹ Dkt. No. 48. The Court also instructed the parties to update it “on what, if anything, remains of this case and if necessary, provide the court with recommendations on how this case should proceed to resolution.” *Id.*

In response to the Court’s February 2 Order, Defendants have, as directed, disclosed documents 10521 and 10784 in their entirety. *See* Dkt. No. 48. Additionally, Defendants have represented to SSL’s satisfaction that they have, as directed, reviewed document 10288 and disclosed the portions pertaining to the Federal Register notice. *See id.* Given those disclosures, the parties agree that the only issue remaining in this case is how attorneys’ fees are to be allocated. They are therefore currently negotiating an agreement on that issue. Accordingly, the parties respectfully request that the Court allow them 60 days, through June 7, 2021, to complete their negotiations and submit a proposed order regarding allocation of attorneys’ fees.

Dated this 7th day of April, 2021.

Respectfully submitted,

s/ Brett W. Sommermeyer
BRETT W. SOMMERMEYER, WSBA # 30003

s/ Catherine E. Pruett
CATHERINE E. PRUETT, WSBA # 35140

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¹ In the interests of efficiency, the parties refer the Court to their August 14, 2020 JSR for a summary of the case background. *See* Dkt. No. 37.

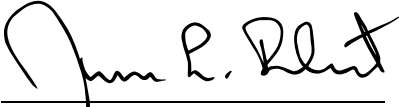
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Attorneys for Defendants

~~PROPOSED~~ ORDER

The parties shall submit a proposed order regarding the allocation of attorneys' fees to the Court on or before June 7, 2021.

Dated this 14th day of April 2021.


JAMES L. ROBART
United States District Judge